

**Statement of John Conyers, Jr.**  
**Hearing on HR 2341**  
**"Class Action Fairness Act of 2001"**  
**February 6, 2002**

Frankly, I am shocked that in the midst of one of the greatest corporate rip offs of all time, this Congress would even consider legislation that would make it easier for corporations, their lawyers and their accountants to engage in fraud and deceit.

As part of the Newt Gingrich Contract with America, the Republican Congress unwisely overrode President Clinton's veto of Securities Tort Reform. The result is that it is much harder for the Enron employees who were scammed out of their retirement savings to get any relief. Newt Gingrich may be gone but his spirit seems to live on the House.

What failed for Enron, some now want to do for every corporation in America.

It is time for more corporate responsibility, not less. Our citizens need more protections against being swindled, not less. Yet this bill takes us in precisely the opposite direction.

Proponents of this bill will attempt to draw us into a discussion of arcane legal concepts and terms in attempting to sterilize this issue and make us forget that at the heart of class action litigation are injured Americans.

We will talk about expanding federal jurisdiction. What this really means is that a woman injured by a faulty product, like the Dalkon shield, will have to pay more money to get justice, jump through hurdles to get their case heard, and wait months and even years until an

overworked federal court hears her case. It is not uncommon for injured class members to literally die before their case is heard.

We will talk about minimal diversity and named plaintiffs. What this really means is that all of the sick smokers who sued the tobacco companies for lying about whether cigarettes were addictive would have never seen their day in state court.

We will talk about pleading rules and discovery rules. What this really means is that when scores of Americans are killed by faulty tires and hundreds more maimed for life, Congress wants to make it more difficult for them to obtain justice in their own state courts.

In the end, the question is whether this Republican House and President understand the injuries that working Americans suffer at the hands of big business. This bill is not a promising sign.